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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: John A. Lowe

Examiner: Cybille Delacroix-Muirheid

APPLICATION NO.: 09/007,268

Group Art Unit: 1654

FILING DATE: January 14, 1998

TITLE: Fluoroalkoxybenzylamino Derivatives :
of Nitrogen Containing Heterocycles

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Reply with Amendment

Preliminary Considerations

The present Reply with Amendment is in response to the Examiner's Official Action herein of October 25, 1999. The present application is a continuation of U.S. Serial No. 08/167,881, filed May 5, 1992 (ex-PCT/US92/03571) and having a section 102(e) date of December 14, 1993. On June 30, 1998, the '881 application issued as U.S. Patent 5,773,450, containing claims 1-25, all directed to compounds *per se*.

As indicated in Applicant's paper mailed July 19, 1999, Applicant is willing to cancel all compound claims and requests allowance of the method of treatment claims and pharmaceutical composition claims. Upon request, Applicant agrees to execute a terminal disclaimer with respect to the present application over the parent application (now patent 5,773,450). It is believed that by such amendments, most issues raised by the examiner will be resolved.

The Restriction/Election Requirement(s)

Upon careful review of the Restriction/Election requirement of June 17, 1999 which replaced, in part, the earlier Action of March 18, 1999, it appears that the group